

October 30, 2008 ISSUE

TERMS OF REFERENCE REVISED

Following an extensive consultation that began last year, OBSI's board of directors has approved a revised Terms of Reference to guide our dispute resolution service. The target implementation date of the revised Terms is April 1, 2009.

The revisions followed the publication of the Framework for Collaboration with the Joint Forum of Regulators and Finance Canada as well as [OBSI's 2007 independent review](#). Both documents recommended changes to OBSI's mandate. Other changes reflect evolving case management practices in dispute resolution.

Two of the more notable changes are in systemic issues and new complaint-handling procedures.

On systemic issues, the Terms now have a provision under which OBSI will be following up on potential systemic issues that arise out of individual complaint files by contacting the firm and asking it to undertake an investigation. Should a systemic issue be found, OBSI will offer to work with the firm to arrange compensation for affected clients and to fix the problem. If there is disagreement between OBSI and the firm on the nature of problem, or the remedy, the file will be referred to the appropriate regulator for review.

On new complaint-handling procedures, consumers will have the option of bringing their complaint to OBSI 90 days after they start the firm's internal complaints process. This is consistent with the new investment sector complaint-handling rules from IIROC and MFDA that are meant to streamline the process and ensure consumers are aware of their options.

Other changes include provision for firm and client agreements to suspend limitations periods while OBSI is considering a complaint; improved communication to consumers about the dispute resolution process; and clarification of OBSI's monetary limit of \$350,000.

More detail will be provided prior to the planned effective date of April 1, 2009 on how OBSI will implement the new aspects of the Terms of Reference.

In the meantime, questions or inquiries can be directed to ombudsman@obsi.ca.

To view OBSI's revised Terms of Reference, [click here](#)

PARTICIPATING FIRM CONTACT INFORMATION UPDATE

If you are a participating firm in OBSI, we would ask that you please check your contact information and let us know of any changes or updates. To do so, please go to www.obsi.ca and then to the Participating Firm section to check on your firm's information. Please e-mail any changes to ombudsman@obsi.ca. Thank you for your cooperation.